
Discussion Paper

**Towards a Riverfront Corporation
for the
Winnipeg Region**

July, 1989

**Manitoba
Urban Affairs**



D I S C U S S I O N P A P E R

TOWARDS A RIVERFRONT CORPORATION
FOR THE WINNIPEG REGION

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EXECUTIVE SUMMARY

**TOWARDS A RIVERFRONT CORPORATION
FOR THE WINNIPEG REGION**

The report makes the following recommendations:

1. Need for a Central Agency: A central agency is needed to coordinate effort, focus resources, ensure on-going planning and provide continuity of commitment towards the Winnipeg region's rivers and streams.
2. Riverfront Corporation: A riverfront corporation should be established to enhance the Winnipeg region's river corridors as natural and heritage resources, focal points for community activities and tourist attractions.
3. Incorporation: The riverfront corporation should be implemented through The Corporations Act of Manitoba. The articles of incorporation should set out the purposes and intent of the corporation, and requirements to ensure control and accountability.
4. Shareholders: Due to its highly public nature, the partners in the riverfront corporation should include the Province of Manitoba, the City of Winnipeg, the rural municipalities in the Winnipeg region and the Government of Canada.
5. Mandate: The proposed riverfront corporation should be public, not-for-profit and emphasize public-private partnerships. There should be a balanced emphasis on conserving significant natural and heritage resources while also developing innovative and exciting projects compatible with the resources. The riverfront corporation should have a mandate to research, plan, design, develop, program, and promote the river corridors. The corporation should be permitted to acquire land through gift, purchase or bequest, but should be required to turn over the property to one of the shareholders once developed. Operation and maintenance should be the responsibility of the landowner on whose land a project is being developed, subject to the agreement of the landowner prior to development. The corporation should have a reliable financial base and the necessary powers to administer an organization.
6. Regulation: Management or regulation of the rivers and streams should be the responsibility of existing legislative authorities (Canada, Manitoba and the municipalities), with efforts made to improve the effectiveness and efficiency of the administration of the legislation.
7. Planning Area: All rivers, creeks, coulees, drains and the Red River Floodway in the Winnipeg region should be included in the planning area. The land to be included in the planning area should be defined through public consultation as part of the preparation of a long-term plan for the river corridors.

8. Governing Body: The governing structure of the corporation should be a board of directors consisting of elected officials from the principal public funders, chief administrators from the principal public funders, and members of the public with a commitment to the community at-large and the general principles of the corporation. The public members could either be appointed by the shareholders or elected on a staggered, annual basis by members of the public who have paid a fee and hold a membership in the corporation. The total membership on the board should not exceed 10-12 persons to ensure effective and efficient performance. The chairperson should be appointed jointly by the partners. The term of a member's appointment should be fixed so that new ideas and interests are continually being brought into the corporation's decision-making process. Remuneration should be limited to expenses since members would be serving in their capacity as publicly elected official or public service employee or as a member of the community performing a public service.
9. Staffing: The corporate staff should be limited to six members: a general manager, three professionals and two support staff. The organization should only acquire additional staff if contracting for services proves inefficient or uneconomical. The corporation should use consultants when more specialized skills are required.
10. Funding Source: Initially, the principal source of revenue should be the shareholders in the corporation. A strong emphasis should be placed on financial development with the long-term aim of reducing dependence on government funding. A trust fund should be created for charitable contributions and revenues from fund-raising.
11. Funding Arrangements: Funding should be negotiated through a unanimous shareholder's agreement. It can either be negotiated as a standing annual commitment or as a fixed term commitment (eg. five years) which can be renegotiated at the end of the period.
12. Funding Amount: At a minimum, the corporation should have combined annual revenues from its shareholders of \$2 million to \$4 million. Revenues in the first two to three years should reflect the transition period to full operation.
13. Expenditures: As a guide, at least 85% of corporate revenues should be spent on projects and no more than 15% on administration.
14. Control and Accountability: Corporate control and accountability should be ensured through requirements for an outside auditor, annual report, designated fiscal year, conflict of interest disclosure, public board meetings, public access to information and internal procedures.

15. Public Participation: Opportunities for the public to become involved in the work of the corporation should be provided through standing community advisory committees, ad hoc project steering committees, public meetings for plan reviews and public open houses for project reviews.
16. Corporate Identity: The potential shareholders in the corporation should identify and register a corporate name and trademark prior to the formal public announcement of the creation of the corporation.
17. Relationship With Other Jurisdictions:
 - **Planning:** The corporation's river corridor plans should be prepared as a guide to the various jurisdictions. Options to give the plans legal effect should only be considered if the decision-making by the jurisdictions fails to advance the objectives of river corridor enhancement.
 - **Regulation:** The riverfront corporation should play primarily a lobbying role with other jurisdictions in respect to regulations since it would not have legislative authority.
 - **Development:** The corporation should work closely with the landowner who will be receiving the developed project to ensure that the project meets its operation and maintenance requirements. The corporation should abide by all laws and regulations.
 - **Land Acquisition/Disposal:** The riverfront corporation should have the power to acquire land in the name of one of the shareholders. Disposal of land acquired by the corporation should be subject to the approval of the shareholders. The riverfront corporation should have first right of refusal on land owned by one of the shareholders and proposed for disposal.
 - **Operation and Maintenance:** The shareholders should be responsible for operation and maintenance on their own property. The corporation should develop agreements with the landowner setting out guidelines for operation and maintenance.
18. Relationship With the Winnipeg Core Area Initiative: The Riverbank Enhancement Program under the Core Area Initiative should be implemented by the riverfront corporation. The program should continue to be administered as it is now using the existing reviews, approvals and committee structure. The only change would be the appointment of a riverfront corporation employee as the program manager, and the assignment of program implementation to the corporation.
19. Relationship With The Forks Renewal Corporation: The riverfront corporation and the Forks Renewal Corporation should exist independently of each other but working together to coordinate and complement each others projects.

1.0 INTRODUCTION

1.1 THE POTENTIAL OF URBAN RIVERS

The great potential of urban rivers comes from their ability to serve so many people. There are social and economic gains to the community, region and province when the rich resources are conserved and appropriately developed. The river corridors can become places of beauty, recreation, commercial and residential activity, natural habitat, pedestrian circulation, interpretation, and a source of community identity. The rivers are a community asset; the banks adjacent to them can enhance the use and enjoyment of this asset.

1.2 RIVERFRONT PLANNING AND DEVELOPMENT IN THE WINNIPEG REGION

1.2.1 Agreement for Recreation and Conservation (ARC)

The first tangible attempt to develop a single coordinated policy that would affect future land use and preservation along the Red and Assiniboine Rivers was the "Red and Assiniboine Rivers Tourism and Recreation Study". This study became the basis for a further study, "The Red River Corridor - A Canada/Manitoba ARC Proposal", which identified priority areas for development. From this proposal evolved the "Canada/Manitoba Agreement for Recreation and Conservation on the Red River Corridor" signed in October 1978. Based on the Agreement, a Master Development Plan was prepared and approved for the Red River Corridor. Eighteen projects were proposed with Manitoba agreeing to implement sixteen and Canada two.

Overseeing the Canada/Manitoba Agreement was an ARC Management Board consisting of representatives from both governments. During the period that ARC was in place, twelve projects, four feasibility studies and an archaeological research study were undertaken. The Manitoba ARC Authority was incorporated by the Province in 1981 to implement Manitoba's projects. It was governed by a seven person Board of Directors and had a small staff to direct, coordinate and oversee program implementation. Parks Canada was responsible for implementing Canada's projects. The Agreement, initially scheduled to conclude in 1985, was extended to March, 1990. The last project under the Agreement, the Forks National Park, is scheduled to open in 1989.

1.2.2 Plan Winnipeg and Provincial Land Use Policies

In 1986 the City of Winnipeg adopted "Plan Winnipeg: The Greater Winnipeg Development Plan". Through this plan, the City of Winnipeg has adopted a policy "to establish linear park systems along or adjacent to Winnipeg's rivers and creeks". Objectives for the policy include providing linear recreational opportunities; integrating all river and creek parkways with other features of the open space system; protecting,

preserving and enhancing views and vistas; protecting, managing and preserving environmentally sensitive areas; providing access to the water for a wide range of water-oriented activities; and identifying, preserving and interpreting historical/archaeological features along or adjacent to the rivers and creeks. Other policies in Plan Winnipeg commit the City to endeavoring to manage all City-owned tree stands and natural landscapes that have a significant ecological, historical, aesthetic or geographic features for neighbourhood, community and regional open space purposes; and, when approving new development, endeavoring to require buffers to separate conflicting land uses. The City has regularly established a budget for riverbank land acquisition to aid it in implementing Plan Winnipeg policies.

The Provincial Land Use Policies have been adopted by the Province of Manitoba to guide the management of land and ensure its continued use and enjoyment by succeeding generations. The policies apply outside Winnipeg. Policy #7 recognizes the importance of waterways, water bodies and shorelands for recreation, erosion protection, water table retention, critical habitat and public access. The policy allows for the creation of two types of shoreland reserves: environmental reserves and public shoreland reserves.

1.2.3 Core Area Agreements

Commitment to Winnipeg's rivers has also been demonstrated through the Core Area Agreements of 1981-86 and 1986-91. The agreements, signed by Canada, Manitoba and Winnipeg, have been aimed at increasing the "vibrancy and vitality of the city centre and surrounding neighbourhoods". Under the 1981-86 agreement, some riverbank land was acquired within the Core Area's East Yards. In the 1986-91 agreement, \$20 million has been allocated to the redevelopment of the East Yards (Forks) as a multi-purpose area with public parks, mixed-use facilities, housing and commercial activities. \$5 million also has been allocated for riverbank enhancement in the core area.

1.2.4 Studies

Two studies in 1985 recommended approaches to on-going planning and development of Winnipeg's rivers. The first study, a City of Winnipeg consultant's study reviewing the role of the Rivers & Streams Authority No. 1, identified the need to undertake a comprehensive program of managing Winnipeg's rivers. It examined four different management models to address this need, and recommended a bipartite model. It was proposed that the bipartite agency would be established through a provincial statute as a partnership between the City and the Government of Manitoba. The enabling legislation would delegate to the agency resource related authority contained in other Provincial acts; power to develop zoning required to manage resources; and provision for transfer of other funds and grants to the bipartite agency.

The second study, the Final Report of the City of Winnipeg Act Review Committee, also identified the need for coordinated action related to Winnipeg's rivers and streams. The report recommended delegating to the City regulation over the rivers and streams, and creating a new Winnipeg Rivers Corporation "to provide for the improved planning, use, development, conservation, and management of waterways, rivers, waterfronts, riverbanks, and other related areas within the City of Winnipeg and the Winnipeg region".

1.2.5 Provincial Commitments

In 1986 the Province of Manitoba committed five million dollars to riverbank development in the City of Winnipeg. Provision was made in this allocation for the establishment of a special purpose agency to oversee the long-term comprehensive planning and development of Winnipeg's rivers. Bluestem Nature Park on Omand's Creek was the first project under this program.

In 1988, the Province announced a 10-point action plan to improve the regulation of Winnipeg's waterways. Implementation of the plan is now underway.

1.3 NEED FOR COMPREHENSIVE APPROACH

1.3.1 Rationale

The rivers in the Winnipeg region are a community asset with potential to considerably enhance the economy, recreational opportunities, tourist attraction and aesthetic quality of Manitoba's capital region. While some planning and development has occurred, particularly through ARC, there has not yet been a comprehensive and combined effort to plan, develop and manage the rivers and related waterways in the long-term interests of the region.

1.3.2 Problems

A number of problems have been cited related to the region's rivers:

- (1) Water Quality: Water quality is affected by snow dumping, on-board sewage disposal by vessels, and domestic, agricultural and industrial waste. The quality of water in the Red River is also affected by raw sewage flowing into the river from Winnipeg's combined sewer system during overflow conditions.

- (2) Water Quantity/Flows: The amount of water flowing in the waterways is affected by spring flooding, dry summer conditions, and the Lockport control dam upstream of the outlet of the Red River Floodway. Fluctuations in flows can contribute to erosion, bank slumping, and the loss of vegetation.
- (3) Vegetation and Wildlife: The quantity of vegetation has been primarily affected by clearing for development; in turn, vegetation removal has affected natural habitats, the aesthetic quality of the river corridors, and bank stability. The quality of vegetation has been affected by disease and overgrowth conditions. There is no comprehensive program for habitat conservation.
- (4) Erosion and Stability: The banks of the rivers and streams are susceptible to erosion and instability due to the soil characteristics, water flows, and induced changes to the landscape.
- (5) Accessibility: Public access to the rivers, streams and banks has been limited by private ownership, inappropriate development, fragmented connections and a lack of opportunities for the public to use and approach the river corridors in a safe and convenient manner.
- (6) Aesthetic Quality: There is a lack of a design program or guidelines for development along the rivers, particularly in Winnipeg. Consequently, there is a lack of control over aesthetic design, protection of scenic sight lines and environmental management.
- (7) Regulatory Responsibility: The river corridors are regulated by three jurisdictions and a number of laws and bylaws. The divided responsibilities result in ineffective resource management and conflicting or inconsistent jurisdictional views on managing uses and impacts. In some cases regulations are lacking while in other cases regulations overlap. There is a need to provide efficient and effective regulation of the river corridors.
- (8) Interpretation and Information: There is a lack of a comprehensive program of interpreting the natural and cultural resources of the rivers for the public. There also is a need to provide more public information about the river corridors and the related problems and opportunities.
- (9) Tourism: The tourism potential of the rivers has not been fully developed. There is a need to improve the attraction of the rivers by promoting compatible facilities, uses and special events that encourage people to visit the Winnipeg region and the riverfronts, and spend their vacation dollars in the area.
- (10) Financial Resources: Sufficient financial resources have not been focussed on the river corridors to effectively address the needs and potential.

1.4 LOCAL INTEREST IN THE FUTURE OF THE RIVERS IN THE WINNIPEG REGION

1.4.1 Government of Canada

The Government of Canada has a variety of interests related to the region's rivers. Since navigable waterways are a federal responsibility, Canada ensures that any construction that takes place in the waterways does not impede the use of the waterways for navigation of any sort. Canada also is responsible for ensuring that fish habitat is not disturbed and that water quality is not detrimental to aquatic life. Water levels in the Winnipeg region are another matter which interests the federal government. Through the Lockport Dam operation on the Red River, Canada ensures that water levels are suitable for navigation in summer, and are low enough in winter to sustain the increase in the quantity of water resulting from spring flows. The federal government also is involved with Manitoba in a Flood Damage Reduction Program.

In the past, the federal government's interest in the region's rivers also has focussed on developing recreational and cultural sites of national importance. The federal-provincial Agreement for Recreation and Conservation is evidence of this interest.

If Canada becomes involved in any formal organization related to the rivers, the organization's mandate will have to relate to Canada's national interests.

1.4.2 Government of Manitoba

The Government of Manitoba has three principal interests in the region's rivers.

The first interest is environmentally focussed. Manitoba is committed to conserving the province's water resources and habitats for the benefit and enjoyment of present and future generations. Conservation of the rivers is a provincial concern because the question of how the waterways are managed and used cannot be limited to the corporate boundaries of a community. The Government must ensure the quality and quantity of the resource in the interest of all Manitobans. Consequently, Manitoba's environmental interest in the rivers includes water flows, water quality, flood protection and the right to water use.

The second interest of Manitoba in the rivers is leisure focussed. The Red and Assiniboine rivers are important recreation resources in Manitoba, and significant to the cultural heritage of the province and Canada. The rivers serve as an important base for recreational development in the region and a physical link between recreational and cultural sites. The federal-provincial Agreement for Recreation and Conservation demonstrated the potential of the Red River for natural and cultural interpretation, tourism, high quality year-round recreation, and scenic beauty. The provincial interest in the development of recreation and cultural facilities in the Winnipeg region evolves from a larger provincial strategy for providing Manitobans and visitors with a variety of leisure opportunities along the province's waterways.

The third interest of Manitoba in the region's rivers is economically focussed. Throughout North America riverfront revitalization efforts have consistently proven to be positive and effective stimulants to the local economy. Economic impacts have been most visible in increased tax revenues and increased jobs in tourism, business, retail and, to a certain extent, construction. By improving the quality of life in the community, riverfront revitalization projects also have improved a community's attraction to various economic sectors as well as local residents. Winnipeg, which accounts for over half of Manitoba's population, more than 61% of the total employment, and 67% of the industries, is a major factor in the economic health of the province. The Government of Manitoba sees riverfront revitalization as one more way of strengthening the economies of not only Winnipeg and the region but Manitoba as a whole.

1.4.3 City of Winnipeg

The City of Winnipeg has several interests related to the rivers.

One of the City's principal interest concerns the fragmented jurisdiction that exists over the river corridors. The federal and provincial governments each have certain powers and authority related to land and water in the river corridors; since neither one can infringe on the jurisdiction of the other and the scope of jurisdiction lacks clarity, certain legislative gaps and overlaps result. Efforts to comprehensively manage the river corridors are made more complex with the city having been delegated by Manitoba primary responsibility for the land adjacent to the rivers. In this respect the city is interested in subdivision, zoning, litter control, public safety, aesthetic quality and riverbank stability. The consequence of having divided jurisdictions is that no one level of government can undertake comprehensive and coordinated efforts to plan, develop and manage Winnipeg's river corridors without the cooperation of the other levels of government. Winnipeg would like to see responsibility for management and regulation of the river corridors clarified and made more efficient and effective.

One interest in the rivers that the City shares with Manitoba concerns the economic and social value to the community of riverbank enhancement. There is evidence from across North America that a diversity of developments along urban waterways can stimulate interest and investment in the community. Riverbank development can provide the catalyst for other types of development. It can help to revitalize the city core, enhance the tax base, improve employment opportunities in tourism, business and retail, and increase civic pride. The rivers also can help to broaden the opportunities in Winnipeg for leisure activities; they can be used for fishing and a variety of watercraft sports in summer, and cross-country skiing and skating in winter. The setting of the rivers is conducive to such passive leisure activities as sitting, walking and viewing.

1.4.4 Rural Municipalities in the Winnipeg Region

The rural municipalities in the Winnipeg region have similar interests to Winnipeg related to the rivers. In correspondence with the Province in March 1988, the Association of Rural Municipalities (Winnipeg Region) stated that they supported the concept of a non-profit rivers authority, as outlined in the Final Report of the City of Winnipeg Act Review Committee, and requested that participation be extended to rural municipalities that have an interest in the rivers system running through their municipality.

1.4.5 Private Sector

The private sector includes businesses, corporations, foundations and trusts.

The primary interest of businesses and corporations in the rivers is entrepreneurial although there is an interest in public service to the community as "corporate citizens". It is largely dependent on the public sector to provide the investment opportunities and climate for business. Most of the successful waterfront development projects in North America are ones which have evolved through a creative partnership between the public and private sectors. The partnerships primarily have been on a project by project basis and have provided the public with a variety of leisure opportunities which the public sector on its own could not have done financially, or may not have had the mandate to do.

Foundations and trusts have usually been established by a generous benefactor to contribute to the community in a special way. In Canada, groups like the Devonian Group of Charitable Foundations or the Max Bell Foundation, have contributed to the leisure enjoyment of communities by helping to build such projects as riverbank trails and interpretive centres. As with businesses and corporations, the onus is on the public sector to provide the opportunities and organizational structures for charitable groups to contribute to enhancing the quality of life in communities.

1.4.6 Community

The community, as the principal client group for the revitalization of the rivers, is interested in how the rivers and riverfronts are planned, developed and managed. In Winnipeg particularly, several groups and the general public have shown an interest in the waterways.

In their 1985 presentation to the City of Winnipeg Act Review Committee, the Manitoba Naturalist Society advocated the need for a "Red River conservation authority", and the preservation of natural areas in Winnipeg. They expressed concern for the loss of seven of Winnipeg's streams in seven years (1974-81), and a lack of a baseline inventory of natural areas. As well, the group noted the need to provide management guidelines and more zoning protection for natural areas.

A group called the Riverbankers Inc. was formed in 1985 to "foster awareness and understanding of the Winnipeg riverbank environment, and to protect that environment for this and future generations." Full voting membership is offered to every owner of property on a City of Winnipeg river or stream and along the Red River between Lake Winnipeg and Ste. Agathe. Associate non-voting membership is available to anyone who supports the group's objectives. In the Riverbankers Inc. 1985 submission to the City of Winnipeg Act Review Committee, concern was expressed about water quality, riverbank erosion and stability, wildlife habitat preservation and rehabilitation, riverbank development, heritage preservation, and waterway use, safety and regulation. The group has advocated the creation of a new agency through appropriate legislation, to oversee all river-related matters.

A number of other groups as well as members of the public have expressed interest at various times with the needs and future of the Winnipeg region's waterways. Provision needs to be made for the public to have meaningful and on-going opportunities to participate in the decision-making related to the revitalization of the region's river corridors.

1.5 DIRECTION

The future of the region's river corridors depends on a continuing commitment to revitalization by the public and private sectors and the community. The problems facing the region's rivers are apparent. What is needed now is a clear and decisive program for planning, developing and managing the resources. The remainder of the report outlines a strategy to achieve this goal.

2.0 NEED FOR CENTRAL AGENCY

There are several reasons why an on-going organization is needed to address the problems and potentials of the Winnipeg region's rivers:

- Need for Coordinated Implementation: Simultaneous action in a number of different areas will be required if the revitalization is to be effective. For example, if river use is going to be promoted, then actions related to public safety and education must be undertaken at the same time. To date, actions in the river corridors have tended to be problem or issue specific rather than comprehensive and coordinated.
- Need for Focus: Public agencies operating with limited resources are subject to pressures for allocating their time and money. Without an institutional mechanism for giving the rivers the priority and attention needed to get the job done, and for securing from public agencies and private interests the same priority, the revitalization efforts will be unsuccessful.
- Need for On-going Planning: A mechanism is needed to ensure that planning activity takes place in response to changing needs and circumstances. Over time, all development projects must fit into a larger framework and contribute to a particular end.
- Need for Continuity: Investment in river corridor revitalization by the private sector is unlikely to occur unless the private sector has the assurance that the public sector is committed, in a substantial and meaningful way, to the long-term requirements of river corridor revitalization.

3.0 MANDATE

3.1 GENERAL

The proposed agency should be **public**. A public agency means it would be created by government, vested with certain powers to allow it to act in the public interest, largely funded by public monies and directed by publicly appointed individuals.

The proposed agency should be **not-for-profit**. Not-for-profit means that while the agency can participate in profit-making development, any profits must be re-invested by the agency in other projects. The directors, owners or stockholders do not personally receive any remuneration based on the performance of the investment in a particular development.

The proposed agency should emphasize **public-private partnerships**. A public-private partnership means a structured relationship that allows the public sector (government) and the private sector (corporations, businesses and individuals) to work closely together to accomplish objectives which enhance the public good using both public and private means.

The proposed agency should **conserve and develop**. This commitment means that the agency should give a balanced emphasis to conserving significant natural and cultural resources while also developing projects consistent, compatible and complementary to the resources.

The proposed agency should be **non-regulatory**. Non-regulatory means that the power of law/by-law would not be vested in the agency; the focus would be on conservation and development. The regulatory role would remain with the appropriate government authority with additional powers given where necessary to provide for effective and efficient management.

Based on the above proposed corporate responsibilities, the **goal** of the agency should be the following: To enhance the river corridors of the Winnipeg region as natural and heritage resources, focal points for community activities and tourist attractions.

3.2 RESEARCH

Research is fundamental to the effective planning, development and management of the region's river corridors. It provides the data and analysis necessary to better understand the dynamics of the environment and the needs and behavior of the people who use it. This information can then be used to respond to already existing problems, or to forestall anticipated problems.

To date, a comprehensive and well-focussed research program for the river corridors has not been developed. Research lacks coordination.

In research the agency should be **empowered** to undertake the following:

- develop a comprehensive rivers related research program.
- commission, support and encourage rivers related research.
- maintain a data base on rivers related research.
- produce research in forms useful to users (eg. public, planners).

The agency's **objectives** in research should be:

- To develop a comprehensive program for research that identifies priorities for implementation and provides for continual updating.
- To fund, assist in funding, or encourage research.
- To establish, maintain and update a data base on rivers related research that is publicly accessible.

3.3 PLANNING

Planning provides the direction, rationale, and priorities for revitalizing the Winnipeg region's river corridors. It is through the planning process that competing interests and demands for the riverfront resources are reconciled and the context defined for river corridor initiatives by both public and private interests.

Generally, planning occurs at two levels. The first level of planning, strategic planning, comprehensively assesses the needs of the community and the river corridors' resources. From the assessment priorities are defined for conservation, development and public programming. The second level of planning is more project specific. It is at this level that the site development programs are defined within the context of the strategic plans. Currently there is no coordinated and focussed program for planning the region's river corridors.

In planning, the agency should be **empowered** to undertake the following:

- comprehensive long-range plans for the rivers, streams and related lands
- annual and 5-year development plans
- site development programs
- concept and functional planning for sites/projects
- plan/project evaluations
- public participation programs

The agency's **objectives** in planning should be:

- To prepare a visionary concept plan for the Winnipeg region's rivers, streams and related lands.
- To prepare 10-20 year development strategies identifying implementation priorities.
- To prepare 5-year development plans identifying specific projects and programs to be undertaken.
- To prepare annual work plans.
- To ensure public participation in all levels of decision-making related to the river corridors.

3.4 DESIGN AND DEVELOPMENT

The physical changes to public land along the rivers are made through design and development. It is through design and development that plans are given substance and form. Facilities are built, riverbanks restored, and the environment monitored. Currently there is no coordinated design and development program for the river corridors.

In design and development, the agency should be **empowered** to undertake the following:

- building and site design for public facilities
- landscape development on public land
- construction supervision
- riverbank rehabilitation on public land
- monitoring of the success, condition, level of use, and need for replacement of developments

The agency's objectives in design and development should be:

- To establish design standards and guidelines to ensure that developments complement the topography, landscape character and natural setting, and fit with the overall design theme for the river corridors.
- To undertake capital projects that will expand access, use and enjoyment of the river corridors, and linkage along the riverbanks.
- To promote consistent and complementary public and private sector developments which provide recreational, cultural and entertainment activities in harmony with the natural environment.
- To conserve and rehabilitate natural and cultural areas in the river corridors.

3.5 LAND ACQUISITION

To achieve the objectives for the region's rivers, land acquisition will be required in certain areas. Ownership ensures that strategically important lands are retained for public use and enjoyment in perpetuity.

Riverfront land considered for acquisition should be evaluated in terms of its conservation value, recreation value, access, use of adjacent land and threat from inappropriate development or use. For any property acquired through purchase, the agency should pay fair market value based on at least two independent appraisals. It should only act to acquire land if its shareholders agree to the purchase and one of the shareholders agrees to be the landowner. The land should remain the responsibility of the agency until it is developed at which time its management would be transferred to the landowner. Properties acquired by the agency should be held by the landowner in perpetuity unless the shareholders agree to the disposal of the land.

Properties should only be acquired when funds and the property are available to negotiate the purchase. The agency should not have the power of expropriation.

In land acquisition, the agency should be **empowered** to acquire land in the name of one of the shareholders and subject to the approval of that shareholder, through gift, purchase or bequest.

The agency's objectives in land acquisition should be:

- To acquire lands as required to conserve natural and cultural resources, and enhance public access, use and enjoyment.
- To prepare and regularly update a confidential list of properties identified as priorities for acquisition.
- To establish a sinking fund for use in land acquisition.

3.6 PROGRAMMING AND PROMOTIONS

Through programming and promotions the public is afforded opportunities to increase their enjoyment of the rivers and learn more about the natural and cultural resources in the river corridors, and become informed about the work of the agency.

In programming and promotions, the agency should be **empowered** to undertake the following:

- develop information signs, displays, brochures, orientation facilities and trails related to the natural and cultural resources of the rivers and streams.
- coordinate special events to promote use and enjoyment of the rivers.
- promote the facilities and attractions of the rivers and riverfronts for residents and visitors.

The agency's objectives in programming and promotions should be:

- To provide people with opportunities to learn more about the natural and cultural resources through signs, displays, orientation facilities, trails and information brochures.
- To cooperate with other agencies, interests and educational institutions in providing outdoor recreational and learning opportunities for the public and school/youth groups.
- To inform public and private landowners adjacent to the waterways of the need, value and approaches to natural and cultural resource conservation.
- To develop a comprehensive marketing strategy, in cooperation with public and private interests, to promote the waterway's facilities, attractions and opportunities of the river corridors to residents and tourists.
- To regularly inform the public about the work of the agency.

3.7 OPERATION AND MAINTENANCE

Operation and maintenance costs are ultimately the most expensive part of any project. To undertake this work requires a considerable investment in staffing, equipment and related facilities (eg. buildings for equipment storage and repair). In Winnipeg the City's Parks and Recreation Department and Manitoba's Department of Government Services have acquired the infrastructure to undertake operation and maintenance of public parks and open spaces on their own land. Outside Winnipeg, municipal parks are maintained by the municipalities while provincial parks are maintained by Manitoba Natural Resources.

There are considerable economies of scale and efficiencies to be gained by taking advantage of the existing infrastructure rather than duplicating services. Therefore, the agency should not undertake operation and maintenance leaving this responsibility to the landowner on who's land a project is being developed. The costs associated with operating and maintaining a project should be assessed during the design stage so any concerns can be addressed at an early point in the development process.

In operation and maintenance, the agency should be **empowered** initially to enter into agreements with the landowner to undertake operation and maintenance.

The agency's objectives in operation and maintenance should be:

- To assess the operation and maintenance costs of proposed public facilities during the planning and design process and to ensure that the agency to be responsible for operation and maintenance is willing and able to commit continuing resources.
- To prepare management agreements in consultation with the landowner to ensure that the level of operation and maintenance is sufficient to meet the programming requirements of, and the capital investment in, the facility.
- To identify public facilities that may be managed on a partial or full cost recovery basis.

3.8 ADMINISTRATION AND FINANCE

An agency established to undertake revitalization of the river corridors will need certain administrative powers and a reliable financial base. It is through the administration that the organization will ensure a coordinated and effective management of human, fiscal and other resources. Finance is the means through which the agency will develop revenue sources to allow it to carry out its activities.

In administration and finance, the agency should be **empowered** to undertake the following:

- budgeting
- accounting
- human resource management
- revenue generation
- temporary borrowing
- agreement administration

The agency's objectives in administration and finance should be:

- To establish policies and procedures for the effective management of the agency's human, fiscal and other resources.
- To establish a solid base of financial support from the public sector to ensure an on-going and long-term program of enhancement of the river corridors.
- To develop a strong base of financial support from the private sector including businesses, corporations, foundations and trusts.
- To develop a strong base of financial and volunteer support from the community.
- To ensure that the agency's proposed programs and projects are within its fiscal capacity to implement, and that the fiscal implications for a project are considered at each stage of the project delivery process.
- To establish a trust fund from charitable donations and fund-raising contributions to be used for designated projects.

4.0 PLANNING AREA

4.1 INTRODUCTION

A clear definition of the physical area in which riverfront revitalization is to occur is important to ensuring effective and coordinated planning, conservation and development. The identification of a planning area, will provide the physical base from which will be developed strategic priorities for undertaking projects and program.

4.2 WATER COURSES

No one waterway in the Winnipeg region acts independently; the rivers, creeks, coulees, drains and floodway are all interrelated in terms of drainage, the natural environment and recreation. While the Red and Assiniboine Rivers may have a higher profile because of their size, use, location and historical significance, all water courses should be considered in the planning process because of their interdependent nature.

The following water courses should be considered in any program related to the revitalization of the region's rivers:

Rivers: Red, Assiniboine, Seine, LaSalle

Creeks: Bunn's, Omand's, Truro, Sturgeon, Baldry, Beaver Dam, McLeod

Coulees: Beaujolais, Westendorf

Floodway: Red River

Drains: Dugald, Lot 16, Springfield Road, Prairie Grove, Headingly, Navin

4.3 LAND

The delineation of land to be included in the planning area should take account of the extent to which land affects or is affected by the water courses (eg. flood risk, bank instability, erosion, natural habitat, etc.), the existence of significant heritage resources adjacent to the water courses, and the potential of the land to enhance public use and enjoyment of the water environment.

The process of defining the land portion of the planning area should be undertaken as part of the preparation of a comprehensive long-term plan for the Winnipeg region's river corridors. In this context, the environmental and development needs can be reconciled, and the planning area defined based on a sound rationale. The public can also be provided with opportunities to participate in the process.

Both public and private land should be included in the planning area to ensure that the revitalization policies developed for the river corridors are both comprehensive and meaningful. The designation of a planning area should not carry with it any proprietary right or interest in the land by the agency making the designation. The delineation of the area should be strictly for the use of policy development.

5.0 CORPORATE FORM

5.1 OVERVIEW

There are many different forms an organizational structure could take to implement the goals and objectives for the region's rivers. The next sections outline three, notably different, options.

In all the options there is an assumption that the interests of natural and heritage resource conservation, tourism and recreational development can only be advanced through the participation of at least the City of Winnipeg and the Government of Manitoba, with provision made for the Government of Canada and the region's rural municipalities to participate actively or through special projects, if they so choose.

The first option is that of a "super agency" which would be responsible for all planning, development and regulation of Winnipeg region's river corridors. The purpose of presenting this option is to show the relative merits of combining all authority into one office.

The second option is one that is more corporate in nature and has been called the "riverfront corporation." This option presents the relative merits of administratively separating the planning and development functions from the regulatory function.

The third option, called the "coordinating office", outlines a structure that would function in a coordinating/lobbying capacity but would lack legal and corporate authority to act; actions would be taken through the administrations of the participating parties.

5.2 OPTION 1: SUPER AGENCY

The super agency would be given full and singular authority to plan, develop and regulate the region's rivers and riverfronts. The functions of existing established agencies would be legally consolidated into the one agency. It would be established by statute since it would be assigned responsibility for regulation. It could be either a crown corporation empowered with specific powers or privileges to deliver services on behalf of the Government of Manitoba, or it could be a statutory authority provided with the specific relationships and authority required to do the job.

Pros

- reduces the number of government agencies responsible for rivers and riverfronts, and promotes "one stop shopping".
- overcomes the fractured jurisdictional problem that exists now by assigning river and riverfront responsibility to one agency.
- addresses water and adjacent land in a comprehensive manner.

Cons

- requires reassignment of responsibilities from many different departments of the participating governments.
- requires redrafting of many laws and bylaws to consolidate authority.
- increases administration costs significantly in order to provide required regulatory review and inspection by qualified staff.
- creates a conflict of interest situation if the agency proposing development also is responsible for reviewing the development.
- unlikely federal/provincial governments would support initiative prior to clarification of jurisdiction and development of water policies.

5.3 OPTION 2: RIVERFRONT CORPORATION

The riverfront corporation would be given responsibilities to plan and develop the region's riverfronts. It could be established through registration of the necessary articles of incorporation, with or without share capital, or by statute or statutory reference. The partners in the corporation would enter into an agreement for the purposes of defining and regulating their respective rights, proprietary interests, duties and obligations with respect to the corporation. The corporation would not have any regulatory powers although it would be able to act as an interest or lobby group on behalf of the rivers and adjacent land. Regulation would remain the responsibility of existing agencies but would be reviewed to improve clarity and administrative efficiency.

Pros

- separates planning and development from regulation, thus reducing the potential for conflict of interest in decision-making.
- provides for on-going and sustained cooperation in planning and development by the partners, and a focus for outside investment in the river corridors.
- gives the appearance of long-term government commitment to the rivers.
- saves costs by using existing administrations and clarifying and improving legislation rather than creating a new bureaucracy.

Cons

- coordination of planning and development functions with regulatory function may be difficult with separate administrations responsible for each area.

5.4 OPTION 3: COORDINATING OFFICE

The coordinating office option is the non-corporate type of organization with no legal authority. It can take the form of either an advisory group or an agreement. An advisory group could be created by simple nomination or by statutory reference for the purpose of advising responsible agencies. It would provide a focus for planning, policy development and public participation related to rivers and riverfronts. Alternatively, two or more governments or agencies could enter into a formal agreement requiring themselves to fulfil certain responsibilities in a coordinated way according to a decision-making structure set out in the agreement. The responsibility for implementing decisions would be assigned to one of the partners to the agreement. The management boards of federal-provincial agreements often operate in this manner.

Pros

- existing staff in other governments could be used to a large extent to reduce expenses.
- would not require institutional changes.
- could be established quickly as it would not require provincial statute or articles of incorporation.

Cons

- ability to act limited by the requirement to work through other government administrations.
- lacks the appearance of a long-term commitment by government to riverbank revitalization required to attract private investment.
- subject to the priorities of other governments and departments in implementing projects.

5.5 RECOMMENDATION

It is recommended that option 2, the riverfront corporation, be implemented since this approach offers the greatest potential for ensuring long-term coordinated planning and development of the Winnipeg region's rivers. A super agency approach would be problematic given the current uncertainty about the outcome of federal and provincial initiatives related to water management, and the extensive institutional changes that would have to occur to implement such an organization. A coordinating office would not be able to act to ensure the sustained focus needed to realize the potential of the region's rivers.

The corporation could be implemented through The Corporations Act of Manitoba. The articles of incorporation would set out the purposes and intent of the corporation, and requirements to ensure control and accountability.

6.0 GOVERNING STRUCTURE

6.1 TYPE

The corporate nature of the proposed riverfront agency suggests that the governing structure should be a board of directors. All corporate activities would be under the direction of the board.

6.2 ROLE

The principal role of the board should be to maintain the balance required in stimulating and overseeing development while respecting the significant natural and cultural resources which are basic to these projects. The board should set priorities, build consensus, marshal resources and direct whatever actions are necessary to realize the corporate goal and objectives.

6.3 REPRESENTATION

The primary determinant for representation on the board of directors should be on-going financial sponsorship; the principal public funders should have a voice in decision-making on how the public funds are spent. Thus, elected officials from the principal public funders should serve as board members.

The second determinant for board membership should be knowledge, experience and an existing senior role within the administrative structures of the sponsoring governments; communication between and within administrations will be a key factor in the success of the corporation. Thus, chief administrators from the principal sponsoring governments should serve as board members.

The third determinant for board membership should be commitment to the community at-large and the general principles of the corporation. Community based board members can either be appointed jointly by the shareholders or possibly elected on a staggered basis through a system that would allow the public to buy a membership in the corporation enabling them to vote for a board member at an annual general meeting. It will be important to the corporation's success for community members to represent broad interests rather than the interests of a particular group which may have a vested interest in a certain outcome of a decision. Representatives from special interest groups are more appropriate serving on advisory committees where their interests can be expressed together with those of other groups. Thus, persons with a broad interest in Winnipeg and its rivers should serve as board members.

The board of directors should be kept to a manageable number to perform effectively and efficiently; the total number of board should not exceed 10 to 12 members. Representation by the shareholders should relate to relative financial contribution. In the case of the rural municipalities where financial support for the corporation may be modest compared to Manitoba or Winnipeg, consideration could be given to assessing the rural contribution as a block and relating the representation accordingly.

6.4 DECISION-MAKING

The board of directors should exercise its authority through resolution requiring majority agreement.

6.5 TERM OF APPOINTMENT

The term of appointment of a board member generally should be fixed to ensure that new ideas and interests are continually being brought into the corporation's decision-making process.

The political members of the board would serve during their respective elected terms. The administrative representatives on the board would serve at the discretion of their appointing bodies. The community representatives would initially serve staggered terms of three and four years with subsequent appointees serving terms of three years. Community representatives should not be eligible for reappointment or re-election in order to ensure the involvement of a variety of interests and committed community members.

6.6 SECRETARY TO THE BOARD OF DIRECTORS

The board of directors should appoint a secretary to the board. The secretary should attend all meetings and be responsible for the recording, maintaining and filing of all board minutes. The secretary should not serve as a member of the board in order to separate the decision-making and administrative functions.

6.7 REMUNERATION

Political and administrative representatives should serve on the board of directors in their capacities as publicly elected officials and public employees; therefore, they should not receive remuneration for services except for expenses or exceptional circumstances. Community representatives should serve on the board of directors as a community service and, likewise, should not receive remuneration except for expenses or exceptional circumstances.

6.8 MEETINGS

The board of directors should be required to meet a minimum of six times a year and at any other times that may be considered necessary. In the first year of operation, the board may have to meet as often as every two weeks due to the number of decisions that will be required related to planning, development and administration. If this occurs, the board may want to consider creating subcommittees of the board to address specific areas (eg. Planning and Programs, or Management and Finance).

7.0 ADMINISTRATIVE STRUCTURE

7.1 FORM

For an initial trial period of at least a year, the organization should limit itself to a modest staff complement representing the major skills required to undertake the corporation's work. When more specialized skills are required (eg. archaeologists, environmental scientists, engineers, etc.), then the corporation should be able to hire consultants as needed. This approach to staffing will give the corporation the flexibility to adapt to changing needs and circumstances, and allow for more of the corporation's expenditures to be focussed on planning and development rather than administration.

As a small organization with a defined role, a staff organization based on functional activity areas would probably be the most suitable form of administrative structure to work toward. Organization by function means that the administration is divided according to activities (eg. planning, finance). Depending on the nature of a project, either one or more of the activity areas would be involved. This type of organization requires good coordination of the divided work responsibilities, and effective communication among activity area managers. With a small staff and good management, these needs can be easily addressed. The advantages of the functional approach are its adaptability and its ability to focus a variety of technical experts on a project or problem. The disadvantages become apparent if the organization grows too large; quick decisions become difficult, accountability becomes harder to determine, and performance becomes more difficult to evaluate. When staff reaches this size, then the organization has to be restructured along new lines such as divisions or departments. It is not envisioned that the riverfront corporation would grow to this size.

7.2 ORGANIZATIONAL STRUCTURE

There is no single way to design the organizational structure for the riverfront corporation. The structure has to be able to adapt to the particular circumstances in which the organization finds itself. The onus is on the chief executive officer to find the right fit between the the organization and its environment, and to treat the structure as a flexible model, continually modifying it to fit with the changing environment while still adhering to the corporation's goal.

Initially, the organization should look at a staff complement consisting of a general manager, three professionals with expertise in planning and development, public programming and promotions, and administration and finance, and two support staff. All staff would report to the general manager who, in turn, would report to the board of the corporation. Expansion of the staff complement should only be considered if the workload requires it and commissioning consultants proves inefficient.

7.3 INTER-AGENCY COORDINATION

The success of the corporation will depend on the development of effective lines of communication with the administrations and governing bodies of the partners to the agreement. The onus will be on the general manager and the board members to develop and maintain these links.

8.0 FINANCE, CONTROL AND ACCOUNTABILITY

8.1 FINANCE

The ability of the corporation to undertake river related projects will depend on it having a solid, adequate and reliable financial base. If a substantial and on-going financial commitment is not made at the outset by the partners to the agreement, the riverfront corporation should not be initiated.

8.1.1 Revenues

Source: The principal source of revenue initially should be the shareholders in the corporation. Through the Shareholder's Agreement the partners would jointly agree to fund the corporation according to a specified amount either as a standing annual funding commitment or as a funding commitment for a fixed term, such as five years, to be renegotiated for the next five year term at the end of the period.

To make maximum use of potential revenues, the corporation should be entitled to receive grants (conditional, unconditional or revenue sharing), use other government programs (eg. employment programs), be registered for charitable donations, charge user fees, and enter into various arrangements/partnerships with the private sector for the delivery of projects that achieve the corporation's public service goal. The corporation also should be entitled to borrow any sums of money it considers necessary for its purposes, subject to it identifying revenue sources to cover the borrowed amount. The corporation should be restricted from acquiring debt for a minimum of the first three years from its incorporation.

The success of the corporation also will depend on its ability to develop a strong and reliable base of financial support in the community. Examples of types of alternative funding sources which should be developed include: corporate sponsorships, grants, donations of money or land, lease of property, investments, user fees, commercial income and the sale to the public of memberships in the corporation. Consideration should be given to the establishment of a trust fund, under the control of the corporation, to which revenues from these sources could be directed. Guidelines for use of the trust would need to be established, such as requirements for the types of allowed expenditures or the maximum accumulated limit before expenditures are required.

Developing financial support in the community for the corporation will take time. The corporation will first have to establish its role in river corridor conservation and development, and its reputation for undertaking high quality projects, accessible to everyone to use and enjoy year-round. If financial development is emphasized from the start of the corporation, meaningful long-term results should be forthcoming within a few years.

Amount: The level of annual revenues must reflect the increased priority being given the planning, development and programming of the Winnipeg region's rivers. It must be sufficient to allow the corporation to finance one or two major projects annually, support several river related programs, and operate the corporation. At a minimum, the corporation should have combined annual revenues \$2 million to \$4 million. Revenues in the first two to three years should reflect the transition period to full operation. Funding support for the Riverbank Enhancement Program of the Winnipeg Core Area Initiative could be considered as part of the revenues in the first few years (see Section 12.0).

8.1.2 Expenditures

Expenditures generally should be divided between corporate administration and corporate projects. Corporate administration includes staffing, office operating costs, and board members' expenses. Corporate projects include all the work undertaken by the corporation. As a guide, administrative expenditures should not exceed fifteen percent (15%) of total revenues while corporate projects should receive at least eighty-five percent (85%) of revenues. Seventy percent (70%) of the total revenues should be spent on development (i.e. planning, landscaping, resource management and construction) and about fifteen percent (15%) on programming and promotions. Control on the proportion of programming expenditures will be particularly important since public demand for a particular program will increase with its success; with increased demand will come increased administrative costs, particularly in the area of staffing. The one area that would be the adversely affected in the long-term by the growth of programming would be development since administrative costs tend to be fixed.

As a public non-profit corporation, the corporation should be exempt from taxation whether for municipal purposes, school purposes, business taxes or local improvements. No grant in lieu of taxation should be required to be made by the corporation.

8.2 CONTROL AND ACCOUNTABILITY

A number of measures should be included in the shareholders' agreement to ensure control and accountability of the corporation.

8.2.1 Outside Auditor

The corporation should be required to appoint an outside auditor to annually audit the books, accounts and financial affairs of the corporation.

8.2.2 Annual Report

The corporation should be required to report annually within four months after the end of the fiscal year, on all activities and transactions of the corporation during the previous fiscal year. The report should include an audited balance sheet of the corporation, and an audited statement of its revenues and expenditures. The corporation should be required to table the report with the governing authority of each of its shareholders, and to make the report available to the public.

8.2.3 Annual General Meeting

The corporation should be required to report annually to the public at a general meeting. This annual meeting could be used to elect the community representatives to the board of directors.

8.2.4 Fiscal Year

A fiscal year should be established for the corporation.

8.2.5 Conflict of Interest Disclosure

The corporation should have requirements for board members, officers, employees and committee members to disclose land, property or corporate interests as these interests relate to the work of the corporation.

8.2.6 Public Board Meetings

The corporation should be required to conduct board meetings in public due to its public nature and funding. In certain circumstances, however, 'in-camera' sessions may be warranted. These circumstances include the following:

- to avoid publicity when it would adversely affect the security of a police force and would be helpful to persons wishing to break the law;
- to protect individuals whose right to privacy would be unnecessarily invaded by making information about them available to the public (eg. personnel matters);
- to avoid prejudicing the board's rights where some other party is contesting or disputing such rights or is likely to do so (eg. solicitor/client matters); and
- to avoid prejudicing the board's position in negotiations with other parties or persons (eg. property acquisition).

8.2.7 Access to Information

The corporation should be required to provide public access to information according to specified administrative procedures and subject to any associated costs to be charged to any persons seeking the information. Any exceptions to this right of access should be limited and specific. The decisions of the corporation relating to the disclosure of information should be subject to an independent review.

8.2.8 Internal Procedures

The corporation should be required to develop internal procedures relating to such things as quorums, meeting notices, reporting, delegation of authority, personnel (hiring, termination, etc.) and public information announcements.

9.0 PUBLIC PARTICIPATION

9.1 RATIONALE

The success of the riverfront corporation will depend to a large extent on the opportunities it provides for meaningful public participation in the corporation's planning and development process. Public participation is not an end in itself but a means by which those responsible for making decisions can better understand the community and the technical issues affecting decisions. It is premised on the principle that people should be provided with opportunities to get involved in public matters which interest or affect them.

9.2 STRUCTURE

Providing the public with opportunities to get involved in specific matters cannot be undertaken in a haphazard manner. It must be structured so people know when and how they can get involved, and where their input will fit in the decision-making process.

The principal means the corporation should use to involve the public should be the advisory committee. Advisory committees bring together various interested groups, agencies, individuals and experts to exchange views and information, generate ideas, problem solve and make recommendations to decision-makers. Two types of advisory committees are proposed for the corporation: the standing advisory committee which remains in existence to meet a continuing organizational need, and the ad hoc advisory committee which is established for a specific period of time to deal with a specific need.

A second means the corporation should use to involve the public is the public meeting. A public meeting should be held by the board of directors whenever a strategic plan is being adopted.

A third means that should be used to involve the public is the open house. The public open house should be used when a specific project is being proposed and the board of directors wishes to have community response to the ideas and development options (eg. a new park). During an open house members of the public meet directly with corporation staff and consultants (where appropriate) to discuss issues and options.

Each of the different means of involving the public is discussed in more detail in the following sections.

9.3 COMMUNITY ADVISORY COMMITTEES (STANDING)

Number of Committees: A community advisory committee (CAC) should be established for each of the functional areas involved in planning and development, and public programming (see Section 7.2). Consideration also should be given to establishing an advisory committee for financial development.

Role: The role of the CAC should be: (1) to provide advice and recommendations to corporation staff and the board of directors on policies, priorities and program development within each of the functional areas, and (2) to provide a continuing pool of personnel with a knowledge and interest in the work of the corporation.

Membership: Membership on each of the three CAC's should be limited to eight to ten persons to allow for the most effective performance of members. The CAC's should include representatives from: the board of directors (to improve communication between the committees and the board of directors); the shareholders; experts in the functional area of the CAC (eg. planning, landscape architecture); interested groups (eg. heritage and naturalist societies); and the community at large. All appointments to the CAC's should be made by the board of directors.

Chairperson: The chairperson of each CAC should be appointed by each committee from among their number.

Secretary: The secretary of each CAC should be the corporate staff person responsible for the respective functional area.

Term of Appointment: The term of appointment of CAC members should be fixed to ensure the involvement of as many members of the community as possible in the work of the corporation. Members would initially serve staggered terms of three and four years with subsequent appointees serving terms of three years.

Remuneration: Membership on the CAC should be voluntary since a public service is being rendered. No remuneration should be paid to members, including the chairperson.

Meetings: Meetings of the CAC's should be at the call of the corporation. The secretary of each CAC should be responsible for the preparation and circulation of all agenda materials, and meeting minutes.

Reporting: The CAC's should report to the board of directors through the general manager.

9.4 PROJECT STEERING COMMITTEES (AD HOC)

Number of Committees: Project steering committees (PSC) should be established as required for each of the corporation's major projects.

Role: The role of the PSC should be to advise the corporation throughout a specific project from planning to implementation. The PSC should provide a forum for represented interests, experts and agencies to consider and resolve problems and issues affecting a particular project, and advise the corporation accordingly.

Membership: Membership on a PSC should be limited to eight to ten persons to ensure the most effective performance by the committee. PSC membership will vary with each project, but generally should include experts, interests, and representatives of people or groups directly affected by the project. In addition, a representative from each CAC should be appointed to a PSC to provide a link between policy development and project development.

Chairperson/Secretary: A staff member of the corporation should serve as the PSC chairperson and secretary due to their knowledge and familiarity with the project, and ability to take action on PSC recommendations.

Term of Appointment: The term of appointment should be for the duration of the project from planning to implementation.

Remuneration: Membership on the PSC should be voluntary since a public service is being rendered. No remuneration should be paid to members.

Meetings: Meetings of the PSC should be at the call of the corporation. The chairperson/secretary of the PSC should be responsible for the preparation and circulation of all agenda materials and meeting minutes.

Reporting: The PSC's should report to the board of directors through the general manager.

9.5 PUBLIC MEETING/OPEN HOUSE

Once the corporation has drafted a strategic plan (eg. long-range development strategy or five-year development plan), the draft plan should be made available to the public. Members of the public should be invited to submit written comments on the plan, and present their comments or questions at a public meeting. Members of the board of directors should preside at the meeting. Procedures for notice and conduct of the public meetings should be established.

All major project plans involving construction should be referred to the public for input through an open house. Members of the public should be invited to review the plans on a specified date and during certain hours.

Corporation staff and consultants (if appropriate) should be present to explain proposals and answer questions. The results of the open house should be compiled and analyzed by staff, forwarded as information to the board of directors, and used in the final plan or design for a project.

10.0 CORPORATE IDENTITY

A corporate identity will need to be established for the riverfront corporation. The purpose of the corporate identity is threefold:

- to ensure that the corporation and its services and facilities are easily recognizable in order to improve communication with the public;
- to increase cost efficiency by standardizing certain printed and construction materials; and
- to inspire a sense of affiliation with the corporation by board and committee members, staff and the public.

The corporate identity is usually communicated through its trademark. A trademark is a symbol, such as a word or logo, or both, that indicates distinctly the origin or ownership of the goods or services to which it is applied. The use of the trademark is exclusively and legally reserved for the owner.

The process of adopting a trademark should be commenced prior to the public announcement of the new riverfront corporation. One of the first tasks of the prospective shareholders should be to agree on a name, and to develop a trademark. The trademark (workmark and/or logo) should then be registered both provincially and federally.

11.0 RELATIONSHIP WITH OTHER JURISDICTIONS

11.1 PLANNING

It is proposed that the riverfront corporation should develop plans for the designated Planning Area (see Section 4.0). In doing so, it would consult with the City of Winnipeg, affected rural municipalities, Province of Manitoba, Government of Canada, other interests and the general public. Although the plans would not have legal effect, they would serve to guide the responsible jurisdictions in planning and decision-making related to the rivers. If the objectives for advancing the river corridor concept are not achieved through this approach, then consideration may have to be given to developing a procedure that would make the plans legal and require under law that zoning and subdivisions conform.

11.2 REGULATION

The riverfront corporation will need to establish on-going communication with Canada, Manitoba, Winnipeg and the rural municipalities in respect to regulation of the region's waterways. The corporation's role initially would be one of a lobbyist on behalf of effective waterway management. The long-term role of the corporation will depend on how the three levels of government address the various regulatory responsibilities related to the region's waterways.

11.3 DEVELOPMENT

It is proposed that any development undertaken by the riverfront corporation on public land would be subject to approval by the riverfront corporation, the landowner, and all statutory authorities. The corporation should work closely with the landowner who will be receiving the completed project to ensure that the project meets the owner's operation and maintenance requirements. The corporation would abide by all laws and regulations.

11.4 LAND ACQUISITION/DISPOSAL

The development of an overall land acquisition strategy should be coordinated by the riverfront corporation in the context of the river corridor policies.

It is proposed that the riverfront corporation have the authority to acquire land under the name of one of the shareholders, and that it be required to turn over the property to the shareholder once developed. The shareholders should be required to hold the land acquired through the corporation in perpetuity unless the consent of all the shareholders has been given to dispose of the land.

It is proposed that the riverfront corporation be given first right of refusal on all public land in the planning area proposed for sale. The intent of this requirement would be to ensure that opportunities to enhance and extend the river corridor development are not lost.

11.5 OPERATION AND MAINTENANCE

It is proposed that the landowners would be responsible for operation and maintenance on their own property. The landowners could either operate and maintain using their own resources, or they could contract out.

It is further proposed that the riverfront corporation would develop cost estimates and guidelines for the operation and maintenance of a project during the design process to give landowners direction on the long-term operation and maintenance requirements.

12.0 RELATIONSHIP WITH THE WINNIPEG CORE AREA INITIATIVE

The Winnipeg Core Area Initiative (CAI) Agreement signed by Canada, Manitoba and Winnipeg, included \$5 million for a Riverbank Enhancement Program (see Section 1.2.3). If the proposed riverfront corporation is to provide the Winnipeg region with coordinated planning and development of the rivers and riverbanks, then the relationship between the CAI and the riverfront corporation should be defined for the remaining years of the CAI Agreement.

In the Program Authorization for the Riverbank Enhancement Program of the CAI, Canada, Manitoba and Winnipeg have agreed that the program could be implemented through a future rivers authority. This approach has several advantages. First, it would allow for integration of Core Area riverbank projects with riverbank initiatives outside the Core Area. Secondly, it would give the corporation several projects in which to become involved immediately and without having to spend time in start-up planning and programming. Thirdly, the funding allocation to the Riverbank Enhancement Program would allow the partners to complement an established program and build their financial commitment to the corporation over several years. During this period of time the corporation would be developing alternative funding sources and as a consequence, the requirement for public funding may be reduced.

The Riverbank Enhancement Program could continue to be administered as it is now under the the CAI Agreement using the existing reviews, approvals and committee structure. The only change may be the assignment of program implementation (ie. construction, planning, programming, etc.) to the corporation. By maintaining the existing structures, processes and committees, program continuity and integration with other CAI programs could be assured.

13.0 RELATIONSHIP WITH THE FORKS RENEWAL CORPORATION

The Forks Renewal Corporation has been assigned responsibility for redevelopment of "The Forks"— an area of historical and national importance at the junction of the Red and Assiniboine Rivers. A board of directors has been established with representatives from each of the three levels of government (Canada, Manitoba and Winnipeg). The role of the board is to guide the "redevelopment of this site into a major, multi-use, riverfront attraction— an historical, cultural, recreational, residential and commercial site— accessible by all." Initial funding of \$20 million over five years was given the Forks Renewal Corporation in 1986 by the three levels of government through the Winnipeg CAI Agreement.

The objectives of the Forks Renewal Corporation and the proposed Winnipeg region riverfront corporation are compatible. The two corporations can exist side by side, complementing the work of the other. Given the extensive amount of public land involved at the Forks, the site's strategic location and the complexity of financial and development requirements and negotiations, the Forks project merits a separate corporation. The Forks Renewal Board can then focus its attention singularly on the area ensuring the most exciting and beneficial development for Winnipeg. If the Forks Renewal Corporation and the proposed Winnipeg region riverfront corporation were to somehow become one, the quality of development in either the Forks or the rest of the riverbanks would be diluted by the need to focus efforts and dollars more widely.

It is important that the Forks Renewal Corporation and the proposed riverfront corporation work together so that the Forks redevelopment is successfully integrated in the Winnipeg region's river corridors. The Forks project will make a significant contribution to the economic, social and cultural life in the Winnipeg region— a contribution that will be enhanced by thoughtful planning of the area around it. To ensure that the coordination of effort takes place, procedures should be established to provide on-going communication between the two boards and staff of the corporations.

14.0 IMPLEMENTATION

14.1 INTRODUCTION

Effective implementation of the proposed riverfront corporation will depend on:

- extensive and thorough planning for the transition to full corporation;
- a good information and education program for decision-makers, administrators and the public; and
- the early development of proper internal procedures and effective external relationships for the corporation.

The greatest challenge in the implementation period will be overcoming people's built-in suspicion of change. Time needs to be taken to develop people's understanding and confidence in the new approach to addressing the potential of the region's waterways.

The following sections outline a phased approach to implementing the concept of a riverfront corporation in the Winnipeg region as well as a possible timetable.

14.2 PHASE 1: CONSULTATION AND LEGISLATION

- Manitoba consult at the political and administrative levels with Canada, Winnipeg and the region's rural municipalities about the proposal for a riverfront corporation
- consult with the community and interested parties
- agree in principle on long-term, 5-year and immediate funding arrangements
- agree on corporate form and legislative requirements
- develop corporate identity (trademark)
- draft shareholders' agreement
- determine "planning area" for riverfront corporation
- develop communications strategy for Phase 2 (corporate start-up)
- establish procedures with the CAI for implementation of the Riverbank Enhancement Program through the riverfront corporation

Timetable: One year.

14.3 PHASE 2: CORPORATE START-UP

- commence implementation of communications strategy for corporation
- appoint board of directors
- recruit and appoint General Manager
- establish corporate office
- develop policies and procedures for:
 - recruitment, termination, etc. of employees
 - conduct of board and committee of meetings
 - conflict of interest
 - delegation of authority and reporting
 - communications
 - budgeting and fiscal management
 - public consultation
 - others, as required
- recruit other staff as required
- approve shareholders' agreement
- prepare long-term corporate financial development strategy
- prepare 5-year capital budget and operating forecast
- prepare capital and operating budget
- implement CAI Riverbank Enhancement Program through the corporation

Timetable: One year.

14.4 PHASE 3: FULL OPERATION

- continue communications program
- continue to implement CAI Riverbank Enhancement Program
- prepare plans for long-range development, interpretation and public programming
- prepare annual budgets
- identify and initiate corporate projects
- implement long-term corporate financial development strategy

Timetable: On-going.

HM/dkp
May 12, 1989

RIVERS-CORP: COVER